THE HON'BLE SRI JUSTICE D.S.R.VARMA
AND
THE HON'BLE SRI JUSTICE D.APPA RAO

Writ Petition No.2818 of 2007

Between:

K.Venkateswara Rao, S/o.K.Rama Mohana Rao,
Aged about 26 years, R/o.D.No.20/271,
Brahmapuram, Machilipatnam – 521 002,
Krishna District

… Petitioner

And

1. The Station House Officer, Chilakalapudi Police Station
(Parasupet), Machilipatnam, Krishna District
and 3 others

… Respondents

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Writ Petition No.2818 of 2007

Oral Order: **(per the Hon'ble Sri Justice D.Appa Rao)**

Heard both sides.

2. The petitioner filed this writ petition for production of his wife, namely, Bondalapati Srilaxmi.

3. It is alleged in his petition that his marriage with one Bondalapati Srilaxmi took place at Hyderabad in Arya Samaj, Sultan Bazar, on 24-01-2007. Both of them stayed at Machilipatnam. On 28-01-2007, one Devi Prasad, his wife's brother, along with his relatives came to his father's house, beat him and took away his wife Srilakshmi by force. Though he gave a report to the Police, they did not take any action. Therefore, he sought for production of his wife Srilaxmi.

4. The Sub Inspector of Police, Chilakalapudi Police Station,

Machilipatnam, Krishna District, who is the first respondent herein, filed counter-affidavit, *inter alia*, stating that on a report dated 28-01-2007 lodged by the petitioner, they registered a case in Crime No.19 of 2007 for the offences punishable under Sections 452, 363 and 323 read with Section 34 I.P.C., and took up investigation. When he examined the alleged detenue Srilaxmi, she informed that she went away to her parents' house on her own accord. She also admitted her marriage with the petitioner. On the other hand, she alleged that the petitioner was threatening her with calls etc.

5. Today, the petitioner as well as the alleged detenue are produced before this Court. When we have interviewed in the chambers of one of us (DSRV, J), the alleged detenue stated that she is not willing to go and live with the petitioner. She intends to be with her parents.

6. In the light of the statement of the alleged detenue, being a major, we do not see any ground whatsoever to continue with these proceedings. It is open to the petitioner to take appropriate remedies available to him. We do not see any merit in the writ petition.

7. In the result, the writ petition is dismissed, at the stage of admission. However, in the circumstances, no costs.

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D.S.R.VARMA, J

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D.APPA RAO, J

05th March, 2007.
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